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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
Plaintiff,)	2:10-cr-0578-PMP-RJJ
)	
v.)	STIPULATION TO CONTINUE
)	TRIAL DATE
LINDA LIVOLSI, aka Linda Grogg,)	(Third Request)
Defendant.)	
)	

IT IS HEREBY STIPULATED AND AGREED, by and between Matthew Dushoff, Esq. counsel for defendant Linda Livolsi, and Michael Chu, Assistant United States Attorney, counsel for the United States of America, that trial and calendar call be vacated and continued to a date and time convenient to this Court, but not sooner than 45 days: (1) the calendar call presently scheduled for August 23, 2011, at 9:00 am; and (2) the trial currently scheduled for August 30, 2011, at 9:00 am. This stipulation is entered into for the following reasons:

1. The Parties need additional time to prepare for trial in the case including conducting legal research. The Parties also need additional time to continue exploring full resolution of the matter without going to trial.

2. Counsel for the United States has a long planned holiday out of the country that coincides with the trial date.

3. The parties agree to the continuance.

4. This is the third request for a continuance of the trial date, albeit the first by the United States.

5. Defendant is not in custody and does not object to a continuance of the trial date.

6. Denial of this request for a continuance could result in a miscarriage of justice.

7. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

DATED August 15, 2011.

DANIEL BOGDEN
United States Attorney

/s/

/s/

MATTHEW DUSHOFFF
Counsel for defendant Linda Livolsi

MICHAEL CHU
Assistant United States Attorney
Counsel for the United States

UNITED STATES OF AMERICA,)	
Plaintiff,)	2:10-cr-0578-PMP-RJJ
)	
v.)	ORDER TO CONTINUE and
)	FINDINGS OF FACT & CONCLUSIONS
LINDA LIVOLSI, aka Linda Grogg,)	OF LAW
Defendant.)	
)	

Based on the pending stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

2. Counsel for the United States has a long planned holiday out of the country that coincides with the trial date.

4. This is the third request for a continuance of the trial date, albeit the first by the United States.

6. Denial of this request for a continuance could result in a miscarriage of justice.

7. The additional time requested by this stipulation is excludable in computing the time

1 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§
2 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and
3 3161(h)(7)(B)(iv).

4 **CONCLUSIONS OF LAW**

5 1. For all of the above-stated reasons, the ends of justice would best be served by a
6 continuance of the trial date.

7 2. The additional time requested by this stipulation is excludable in computing the time
8 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.
9 §§3161(h)(7)(A), when considering the factors under 18 U.S.C. §§3161(h)(7)(B)(i) and
10 3161(h)(7)(B)(iv).

11 **ORDER**

12 **IT IS THEREFORE ORDERED** that the calendar call presently scheduled for August 23,
13 2011, at 9:00 am setting be vacated, continued and reset for _____, 2011,
14 at the hour of _____ in Courtroom _____.

15 **IT IS FURTHER ORDERED** that the trial currently scheduled for August 30, 2011, at 9:00
16 a.m. is vacated, and that Defendant and counsel are advised that they must be present at calendar call
17 on _____, 2011, at the hour of _____ a.m., in Courtroom _____.

18 DATED this ____ day of _____, 2011.

19
20 _____
21 UNITED STATES DISTRICT JUDGE
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23
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